

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MAXIM LITVINOV, on behalf of himself and all	:
others similarly situated,	:
	:
Plaintiff,	:
	:
- against -	:
	:
UNITEDHEALTH GROUP INCORPORATED,	:
	:
Defendant.	:
----- X	

13 Civ. 8541 (KBF)

**DECLARATION OF GREGORY WACHTLER**

I, Gregory Wachtler, declare as follows:

1. I am employed by UnitedHealth Group Inc. as a Director of Human Capital Development. I have held this position since November 3, 2013, and have been with the company since July 27, 2007. I have personal knowledge of the matters set forth in this declaration. I am authorized to make these statements on behalf of Defendant UnitedHealth Group Inc. ("UnitedHealth") and am competent to testify regarding such matters at a trial or hearing, if necessary.

**New Employee Orientation**

2. During an employee's first week of employment with UnitedHealth Group Inc. or its subsidiaries (collectively, "UnitedHealth"), he or she is required to participate in New Employee Orientation. New Employee Orientation is provided in the form of an interactive meeting, via live webcast, which lasts approximately one hour, provides an overview of UnitedHealth, its business segments, benefits information, and instructions on completing new-hire forms. This training also discusses UnitedHealth's Internal Dispute Resolution Program, Arbitration Policy, and Employee Handbook. As this training is an interactive webcast with a

live human resources representative, employees often ask questions, which are then answered during the meeting.

3. Attached as “Exhibit A” is a true and correct copy of the presentation that is currently shown to employees who participate in the webcast, which is kept in the ordinary course of business. This specific presentation has been in use starting in or around the beginning of 2012.

4. As reflected in page 20 of Exhibit A, employees are instructed to log into UnitedHealth’s Global Self Service System to access UnitedHealth’s new employee forms. This portion of the presentation notes that “the forms listed below describe several important policies that every UnitedHealth Group employee must read and follow.” UnitedHealth’s Arbitration Acknowledgment is listed as one of these forms.

5. As reflected in page 21 of Exhibit A, employees are requested to acknowledge their completion of the UnitedHealth Group Employment Arbitration Policy Acknowledgment Form.

6. As reflected in page 22 of Exhibit A, employees are informed that they are responsible for becoming familiar with and following, among others policies, UnitedHealth’s Internal Dispute Resolution and Arbitration Policy.

7. As reflected in page 23 of Exhibit A, employees are informed about UnitedHealth’s Internal Dispute Resolution process and Arbitration Policy. Employees are informed that UnitedHealth’s Arbitration Policy is a “[f]ormal process to resolve legal issues that cannot be resolved through the IDR process.” Employees are directed to the HRdirect Web Portal for more information and specific Employee Arbitration Policy information.

8. Attached as “Exhibit B” is a true and correct copy of the presentation that was shown to employees who participate in the webcast, which is kept in the ordinary course of business that was shown to employees who participate in the webcast in 2007.

**Employee Handbook & Internal Dispute Resolution and Arbitration**

9. UnitedHealth maintains an electronic version of its Employee Handbook. The Employee Handbook is available to all employees through UnitedHealth’s secure HRdirect. The electronic Employee Handbook contains a section titled “Internal Dispute Resolution and Arbitration.” This section of the Employee Handbook explains that UnitedHealth’s Arbitration Policy “is a binding contract between you and UnitedHealth Group” and that “[a]rbitration is the exclusive forum for the resolution of all employment-related disputes.” The Internal Dispute Resolution and Arbitration section of UnitedHealth’s Employee Handbook provides a direct electronic link to the full text of the Arbitration Policy.

10. All employees are able to access the Employee handbook when they log into HRdirect.

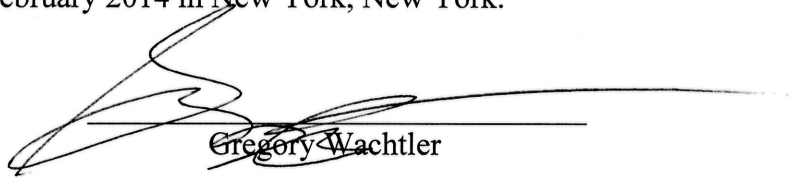
11. A true and correct copy of the Internal Dispute Resolution and Arbitration section of UnitedHealth’s Employee Handbook, which was in effect during 2007 and is kept in the ordinary course of business, is attached as “Exhibit C.”

12. A true and correct copy of the Internal Dispute Resolution and Arbitration section of UnitedHealth’s Employee Handbook, which was in effect during 2012 and is kept in the ordinary course of business, is attached as “Exhibit D.”

13. A true and correct copy of UnitedHealth’s Internal Dispute Resolution and Arbitration Policy, which is kept in the ordinary course of business, is attached as “Exhibit E.”

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 10 day of February 2014 in New York, New York.



Gregory Wachtler